

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**ATWELL G. WEST, SR.,**

**Plaintiff,**

**v.**

**AFFILIATED COMPUTER SERVICES,**

**Defendant.**

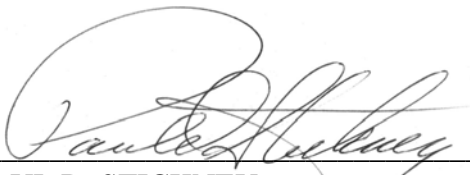
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**Civil Action No. 3:05-CV-1985-G**

**RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

Pursuant to the District Court's order, entered February 10, 2006, the District Court scheduled a settlement conference with the United States Magistrate Judge on May 3, 2006. Plaintiff did not appear for the settlement conference on May 3, 2006. The Court conducted a show cause hearing on Tuesday, May 16, 2006. Plaintiff indicated that he did not attend the settlement conference because he forgot about the settlement conference. The Court scheduled a second settlement conference on August 14, 2006, and at the show cause hearing, warned Plaintiff that if he failed to attend the second settlement conference, the Court would recommend that the District Court dismiss his case. The Court conducted a second settlement conference on August 14, 2006, and Plaintiff did not attend and did not contact the Court to explain his failure to attend. The Court, therefore, recommends that the District Court dismiss Plaintiff's case and order Plaintiff to pay Defendant \$1,800 in costs, which represents the expenses incurred for attending the settlement conferences that Plaintiff did not attend.

**SO ORDERED.** August 15, 2006.

  
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PAUL D. STICKNEY  
UNITED STATES MAGISTRATE JUDGE

**INSTRUCTIONS FOR SERVICE AND  
NOTICE OF RIGHT TO APPEAL/OBJECT**

The United States District Clerk shall serve a true copy of these conclusions and recommendation on the parties. Pursuant to Title 28, United States Code, Section 636(b)(1), any party who desires to object to these conclusions and recommendation must serve and file written objections within ten days after being served with a copy. A party filing objections must specifically identify those conclusions or recommendation to which objections are being made. The District Court need not consider frivolous, conclusory or general objections. A party's failure to file such written objections to these proposed conclusions and recommendation shall bar that party from a *de novo* determination by the District Court. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985). Additionally, any failure to file written objections to the proposed conclusions and recommendation within ten days after being served with a copy shall bar the aggrieved party from appealing the legal conclusions of the Magistrate Judge that are accepted by the District Court, except upon grounds of plain error. *See Douglass v. United Services Auto. Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996) (en banc).